

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

Certified Restoration Drycleaning Network,  
L.L.C. a Michigan limited liability company,

Plaintiff,

v.

Case No. 2:07-CV-10341

Tenke Corp. d/b/a Rite Cleaners,  
an Ohio corporation, and Stephen Dubasik,  
an Ohio citizen and resident,

Honorable Sean F. Cox

Defendants.

---

**ORDER DENYING**  
**REQUEST FOR TEMPORARY RESTRAINING ORDER**

On January 22, 2007, Plaintiff Certified Restoration Drycleaning Network, L.L.C. (“CRDN”) filed this action against Defendant Tenke d/b/a Rite Cleaners (“Tenke”) and Stephen Dubasik (“Dubasik”) alleging that Defendants have violated a franchise agreement.

Approximately three weeks after filing the complaint, on February 13, 2007, CRDN filed a “Motion for Temporary Restraining Order and for Preliminary Injunction.” CRDN requests either an ex parte temporary restraining order or an expedited hearing on its Motion for Preliminary Injunction.

The purpose of a temporary restraining order is to preserve an existing situation in status quo until the court has an opportunity to pass upon the merits of the demand for a preliminary injunction. *Hudson v. Barr*, 3 F.3d 970, 975 (6th Cir. 1993). Such relief should only be granted if it clearly appears that immediate and irreparable harm will result to the applicant before the adverse party can be heard in opposition. FED. R. CIV. P. 65(b).

Here, Plaintiff is not seeking to preserve the status quo, but rather, is seeking affirmative, injunctive relief. Moreover, after reviewing CRDN's motion, the Court does not believe that Plaintiff has established that it will seek irreparable harm before Defendants can be heard in opposition.

Accordingly, **IT IS ORDERED** that CRDN's request for an ex parte temporary restraining order is **DENIED**.

**IT IS FURTHER ORDERED** that if CRDN continues to believe that an expedited hearing on its Motion for Preliminary Injunction is warranted, CRDN shall contact the Court's Docket Manager upon receipt of this Order in order to schedule:

- 1) A status conference with all parties on this matter, to be held prior to any hearing on the Motion for Preliminary Injunction; and
- 2) A hearing date for the pending Motion for Preliminary Injunction.

**IT IS SO ORDERED.**

S/Sean F. Cox  
Sean F. Cox  
United States District Judge

Dated: February 14, 2007

I hereby certify that a copy of the foregoing document was served upon counsel of record on February 14, 2007, by electronic and/or ordinary mail.

S/Jennifer Hernandez  
Case Manager